



J. Paul RCE/1615 \$

PTO/SB/30 (08-00)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/806,915
Filing Date	November 13, 2001
First Named Inventor	Christine Nicol
Group Art Unit	1615
Examiner Name	Blessing M. Fubara
Attorney Docket Number	02296.002320

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply 09/02/2004 WARDELRI 00000065 09806915
- ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1801 770.00 OP
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1,190.00 is enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Raymond R. Mandra	Registration No. (Attorney/Agent)	34,382
Signature	<i>Raymond R. Mandra</i>	Date	8/31/04

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		Date	
Signature			

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02296.002320

AMENDMENT UNDER 37 C.F.R. § 1.116
GROUP ART UNIT 1615, EXPEDITED PROCEDURE
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
CHRISTINE NICOL, ET AL.) : Examiner: Blessing M. Fubara
Application No.: 09/806,915) : Group Art Unit: 1615
Filed: November 13, 2001) :
For: ANIMAL STEREOTYPY) : August 31, 2004

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT ACCOMPANYING REQUEST FOR
CONTINUED EXAMINATION AND PETITION FOR EXTENSION OF TIME

Sir:

In response to the Advisory Action dated June 30, 2004, refusing entry of an Amendment After Final filed May 5, 2004, Applicants herewith file a Request for Continued Examination and a response to the Final Office Action. A Final Office Action was mailed November 5, 2003. Applicants submitted a response thereto on May 5, 2004, together with a petition for a three (3) month extension of time to respond, and a check in the amount of \$950.00 for the extension of time. A Notice of Appeal and the appropriate fee were also filed on May 5, 2004. An appeal brief was due on July 5, 2004, without an extension of time. An Advisory Action refusing entry of the Amendment After Final was mailed on June 30, 2004.

Applicants hereby file a Request for Continued Examination, a petition for a two month extension, and a check in the amount of \$1,190.00 to cover the \$770.00 filing fee and \$420.00 extension fee. Any deficiency or overpayment should be charged or credited to Deposit Account 06-1205.

This paper is responsive to the Final Office Action dated November 5, 2003, the period of reply having been extended by the above petition and payment of the extension fees. The Applicants respectfully request consideration of the following amendments and remarks in support of patentability of the above-identified application.